

## **REMARKS**

### **Summary**

Prior to entry of the foregoing amendment, Claims 1, 4-6 and 9-16 were pending, with Claims 1 and 11 being independent claims and the remaining claims (4-6, 9-10 and 12-16) being dependent claims. Claims 4, 5, 9, 10, 13, 14, 15 and 16 have been canceled without prejudice or disclaimer. Claims 1, 6, 11 and 12 have been amended without adding new matter. The amendments include changing Claims 6 and 12 to be independent claims. New Claims 17-18 have been added without adding new matter. Upon entry of the foregoing amendment, Claims 1, 6, 11-12 and 17-18 are pending, with Claims 1, 6 and 11-12 and 17-18 being independent claims. Applicants respectfully request reconsideration in view of the amendments above and the remarks below.

### **Rejections Under 35 U.S.C. § 103**

Claims 1, 4, 6, 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hua et al. (U.S. Patent No. 7,127,120) (hereinafter, "Hua et al.") in view of Wallace et al. (U.S. Patent Publication 2002/0108112) (hereinafter, "Wallace et al.").

Claims 5, 9, 10 and 13-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hua et al. in view of Wallace et al. as applied to Claim 1, and further in view of Moore et al. (U.S. Patent No. 7,102,643).

Claim 1 is directed to an information processing method and includes, *inter alia*, "a correlation obtaining step of obtaining correlation of the two scenes, based on the event information and/or the object information of the two scenes obtained at the obtaining step, from a correlation storage unit storing in advance correlation between each event information and/or each object information", "an impression and/or effect obtaining step of obtaining first impression and/or effect information indicating an impression and/or an effect meant to be given to an audience by a transition clip to be inserted between two scenes having the

correlation, the first impression and/or effect corresponding to the correlation obtained at the correlation obtaining step, from an impression and/or effect storage unit storing, in an associated manner, the correlation between the two scenes sandwiching the transition clip and the impression and/or effect meant to be given to an audience by the transition clip to be inserted between the two scenes having the correlation", "a calculating step of calculating a suitability ratio indicating suitability of each transition clip stored in advance, as a transition clip to be inserted into the position being sandwiched between the two scenes, by comparing second impression and/or effect storing in advance the information indicating an impression and/or an effect meant to be given to an audience by each transition clip and the first impression and/or effect information obtained at the impression and/or effect obtaining step", and "a displaying step of displaying at least one transition clip extracted at the transition clip extracting step in decreasing order of suitability ratio calculated at the calculating step." (emphasis added).

By the above features of Claim 1, it is possible to extract a transition clip which is suitable and effective to event information and/or object information of the two scenes between which a transition clip is to be inserted. In such a manner, a motion picture having a switching effect which is suitable and effective to theme of two scenes or objects existing in the two scenes can be made.

The Hua et al. reference discloses determining whether previous and subsequent sub-shots (which correspond to "scenes" in the present invention) are similar or not in hue, saturation and luminance. When it is determined that they have similarity, a transition clip of fade-in/fade-out is inserted. When it is determined that they have no similarity, a transition clip is selected at random. See 218 of Fig. 2 and description thereof.

The Wallace et al. reference discloses annotating a linear sequence of a film or video work where thematic elements can exist in parallel with one another and where one thematic element can overlap with the occurrence of another thematic element. However, the Wallace et al. reference does not suggest using the metadata for extracting a transition clip.

If the Hua et al. the Wallace et al. references are combined, the combination might suggest obtaining event information and/or object information of the two scenes between which a transition clip is to be inserted. However, even if the event information and/or object information are obtained, it is not possible to extract a transition clip which is suitable and effective to the correlation of the obtained event information and/or object information.

The Moore et al. reference does not cure the defects of the Hua et al. and Wallace et al. references.

Claims 11 and 12 include similar features to Claim 1 and are believed allowable for at least the same reasons as Claim 1.

Independent Claim 6 is directed to an information processing method and includes, *inter alia*, "a correlation obtaining step of obtaining correlation of the two scenes, based on the event information and/or the object information of the two scenes obtained at the obtaining step, from a correlation storage unit storing in advance correlation between each event information and/or each object information", "an impression and/or effect obtaining step of obtaining first impression and/or effect information indicating an impression and/or an effect meant to be given to an audience by a transition clip to be inserted between two scenes having the correlation, the first impression and/or effect corresponding to the correlation obtained at the correlation obtaining step, from an impression and/or effect storage unit storing, in an associated manner, the correlation between the two scenes sandwiching the transition clip and the impression and/or effect meant to be given to an audience by the transition clip to be inserted between the two scenes having the correlation", "a calculating step of calculating a suitability ratio indicating suitability of each transition clip stored in advance, as a transition clip to be inserted into the position being sandwiched between the two scenes, by comparing second impression and/or effect information associated with a transition clip by an additional information storing unit storing advance the information indicating an impression and/or effect meant to be given to an audience by each transition clip and the first impression and/or effect information obtained at the impression and/or effect obtaining step", "a

displaying step of displaying at least one transition clip from among a plurality of transition clips stored in advance", "a determining step of determining the transition clip which is specified at the receiving step from the at least one transition clip displayed at the displaying step other than the extracted unsuitable transition clips, as a transition clip to be inserted into the position being sandwiched between the two scenes", and "a processing step of adding a transition effect to the data by using the transition clip determined at the determining step."

By the above features of Claim 6, it is possible to extract a transition clip which is suitable and effective to event information and/or object information of the two scenes between which a transition clip is to be inserted. In such a manner, a motion picture having a switching effect which is suitable and effective to theme of two scenes or objects existing in the two scenes can be made.

As described above, the Hua et al., Wallace et al. and Moore et al. references, either taken alone or in combination, do not teach all of the features of Claim 6.

Claims 17 and 18 include similar features to Claim 6 and are believed allowable for at least the same reasons as Claim 6.

MPEP 2143.03 states: "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art."

As described above, the cited and applied reference, taken either alone or in combination, do not teach or suggest all of the features of Claims 1, 6, 11, 12, 17 or 18. Accordingly, all of the pending claims, i.e., Claims 1, 6, 11, 12, 17 and 18 are believed allowable. As such, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims.

### **CONCLUSION**

Applicants respectfully submit that all of the claims pending in the application meet the requirements for patentability and respectfully request that the Examiner indicate the allowance of such claims.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact Applicants' representative at the telephone number below.

Respectfully submitted,

August 25, 2008

/Marlene Klein/

Date

Marlene Klein, Reg. No. 43,718  
Patent Attorney for Applicants

Canon U.S.A. Inc., Intellectual Property Division  
15975 Alton Parkway  
Irvine, CA 92618-3731

Telephone: (949) 932-3132  
Fax: (949) 932-3560